

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
JAN 27 2016
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
IAN V. MACKIE,)
)
)
Defendant.)

No.

4:16CR0036 RWS/DDN

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

- (a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));
- (b) "sexually explicit conduct" to mean actual or simulated
 - (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,
 - (ii) bestiality,
 - (iii) masturbation,
 - (iv) sadistic or masochistic abuse, or
 - (v) lascivious exhibition of the genitals or pubic area of any person (18

U.S.C. §2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about December 19, 2015, and on or about December 20, 2015, within the Eastern District of Missouri and elsewhere,

IAN V. MACKIE,

the defendant herein, did knowingly attempt to receive, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, i.e., cellular telephone, a graphic file containing child pornography including, but not limited to, a graphic image file of a John Doe I, a minor male in a lascivious display of his genitals.

In violation of Title 18, United States Code, Section 2252A(a)(2) and 2252A(b)(1).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one, and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about August 3, 2014, and on or about August 25, 2014, in the Eastern District of Missouri, and elsewhere,

IAN V. MACKIE,

the defendant herein, did use any facility and means of interstate commerce, and did knowingly persuade, induce, entice, and coerce John Doe II, a minor male under the age of eighteen years old, to engage in sexual activity for which any person can be charged with a criminal offense, to wit: the defendant, who was at least twenty-one years of age, and knowing John Doe II, was a minor male under the age of seventeen years old, did persuade, induce, entice, and coerce John Doe II to have deviate sexual intercourse with him, in violation of Missouri Revised Statute, Section 566.064, and committed a substantial step therefore.

In violation of Title 18, United States Code, Section 2422(b).

COUNT III

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about December 12, 2015, and on or December 17, 2015, in the Eastern District of Missouri, and elsewhere,

IAN V. MACKIE,

the Defendant herein, did knowingly receive, using any means and facility of interstate and foreign commerce, i.e., cellular telephone and telephone services, a graphic file containing child pornography including, but not limited to, a graphic image file of John Doe II, a minor male in a lascivious display of his genitals.

In violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT IV

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about December 12, 2015, and on or December 20, 2015, in the Eastern District of Missouri, and elsewhere,

IAN V. MACKIE

the defendant herein, did use any facility and means of interstate commerce, and did knowingly attempt to persuade, induce, entice, and coerce John Doe II, a minor male under the age of eighteen years old, to engage in sexual activity for which any person can be charged with a criminal offense, to wit: the defendant, who was at least twenty-one years of age, and knowing John Doe II, was a minor male under the age of seventeen years old, attempted to persuade, induce, entice, and coerce

John Doe II to have deviate sexual intercourse with him, in violation of Missouri Revised Statute, Section 566.064, and committed a substantial step therefore.

In violation of Title 18, United States Code, Section 2422(b).

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

Colleen C. Lang, #56872MO
Assistant United States Attorney